

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

STATE OF MISSOURI,)	No. ED95442
)	
Respondent,)	Appeal from the Circuit Court of
)	the City of St. Louis
v.)	Cause No. 0922-CR5016-01
)	Honorable Phillip Heagney
MICHAEL CURRY, JR.,)	
)	
Appellant.)	Filed: January 24, 2012

Appellant Michael Curry Jr. (“Curry”) was convicted of one count of the class D felony aggravated stalking¹ and one count of misdemeanor violation of a protection order.² Curry appeals the verdict.

AFFIRMED.

DIVISION TWO HOLDS: First, the circuit court did not err in denying a pretrial motion to dismiss because the claim is not properly preserved or briefed. Second, sufficient evidence on the record supported both of the convictions. Third, the trial court did not err in refusing to allow a witness to testify because there was no indication that her testimony would have been based on personal knowledge. Fourth, the trial court did not err in refusing to admit evidence that the order of protection had been dismissed in December 2009 because such evidence was not legally relevant. Finally, the claim on the trial judge’s response to a jury question is wholly unpreserved.

Opinion by: Kenneth M. Romines, J.
Kathianne Knaup Crane, P.J. and Robert M. Clayton, III, concur.

Attorneys for Appellant: Nadine V. Nunn

Attorneys for Respondent: Mary H. Moore

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>

¹ MO. REV. STAT. § 565.225.3 (2006).

² § 455.085.